

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -X  
UNITED STATES OF AMERICA :  
 :  
- v. - :  
 :  
FELIX TAPIA, :  
 :  
Defendant. :  
- - - - -X

SEALED

INDICTMENT

10 Cr. 1112

COUNT ONE

The Grand Jury Charges:

On or about March 15, 2010, in the Southern District of New York and elsewhere, FELIX TAPIA, the defendant, being an alien, after having been denied admission, excluded, deported, and removed from the United States on or about March 6, 2001, unlawfully did enter and was found in the United States, without having obtained the express consent of the Attorney General of the United States or his successor, the Secretary for the Department of Homeland Security, to reapply for admission, and did so subsequent to a conviction for the commission of a felony, to wit, a conviction on or about August 11, 1997, in Ulster County Court, for Assault in the Second Degree, in violation of New York Penal Law Section 120.05.

(Title 8, United States Code, Sections 1326(a) and (b)(1).)

Adrienne Anderson  
FOREPERSON

Preet Bharara  
PREET BHARARA  
United States Attorney